



Mississippi Board of Pharmacy

5 – YEAR STRATEGIC PLAN

FOR THE FISCAL YEARS 2024– 2028

Mississippi Board of Pharmacy (846-00)

July 2022

MISSISSIPPI BOARD OF PHARMACY

1. Comprehensive Mission Statement

The mission of the Mississippi Board of Pharmacy is to protect the health, safety and well-being of the citizens of the state of Mississippi by regulating and controlling the practice of pharmacy and the manufacture and distribution of legend drugs and devices.

2. Philosophy

The Mississippi Board of Pharmacy is committed to continuing its efforts to safeguard and protect the public health and safety of Mississippians through our philosophy of:

- Providing the highest professional standards of quality, ethics and appropriate service;
- Respecting the rights and liberties of all citizens;
- Providing optimal services to the public and profession;
- Utilizing resources in an efficient, effective, responsive and transparent manner;
- Demonstrating a balanced and sensible approach to the regulation of pharmacy for the taxpayers and citizens of Mississippi.

3. Relevant Statewide Goals and Benchmarks

Statewide Goal #1.: ECONOMIC DEVELOPMENT

“To develop a robust state economy that provides the opportunity for productive employment for all Mississippians.”

Relevant Benchmarks #1.:

- *“Number of jobs in each of the Mississippi Development Authority’s seven targeted industries: advanced manufacturing, aerospace, agribusiness, automotive, energy, **HEALTHCARE**, and shipbuilding”;*

- Employment in Mississippi pharmacy related jobs, as it relates to the health of pharmacy-related businesses and the citizen’s access to general pharmacy services due to the manipulation and redirection of pharmaceutical services nationally;
- Manufacturing, wholesaling, and logistics of medications within our borders and being shipped into our state;
- Revenue drain from Mississippi’s small business community pharmacies to out of state entities required through the redirection of pharmacy services by PBMs and it's effect on freedom of choice of pharmacy;

Statewide Goal # 2.: PUBLIC SAFETY AND ORDER

“To protect the public’s safety, including providing timely and appropriate responses to emergencies and disasters and operating a fair and effective system of justice.”

Relevant Benchmarks #2.: EMERGENCY & CRISIS RESPONSE THROUGH PREPAREDNESS

- Participation and communications with health-related agencies for disaster preparedness and response
- Continued development of relationships with other stakeholder agencies, organizations and law enforcement in the battle against prescription drug abuse and diversion using the MS Prescription Monitoring Program (MSPMP)
- Maintain a PBM, wholesaler, and medical equipment contact list for emergency purposes (waive copays, early refills, etc.);

Statewide Goal #3.: HEALTH

“To protect Mississippians from risks to public health and to provide them with the health-related information and access to quality healthcare necessary to increase the length and quality of their lives.”

Relevant Benchmarks #3.:

- Enhancement of the Mississippi Prescription Monitoring Program (MSPMP) in our efforts to fight prescription drug abuse and diversion;
- Complaints from the citizenry concerning Pharmacy Benefit Manager (PBM) issues;
- Continue developing a robust licensing component of all facilities that serve the citizens of MS, that includes the safety of medications
- PIC Training
- Technician Training
- Develop a nonresident pharmacy and wholesaler license committee

Statewide Goal #4.: GOVERNMENT EFFICIENCY

“To create an efficient government and an informed and engaged citizenry that helps to address social problems through the payment of taxes, the election of capable leaders at all levels of government and participation in charitable organizations through contributions and volunteerism.”

Relevant Benchmarks #4.:

- *“Average wait time for government services”*;
- *“State dollars saved by providing government services online (e.g., document retrieval, issuance of new business permits, license renewal);*
- Integrate licensing, compliance, and legal into one format within Thoughtspan;
- Expanding online information and renewal capability;
- Develop downloadable applications to improve communication and functionality for both internal operations and public access to information;
- Develop more efficient fingerprinting strategy;
- Become a data verifying agency, not a data processing agency;
- Develop more reliable and accurate agency statistics;

4. Overview of the Agency 5-Year Strategic Plan

The Mississippi Board of Pharmacy is composed of four divisions, including the:

- **Compliance Division**
- **Licensing Division**
- **(MSPMP) MS Prescription Monitoring Program Division**

- **(PBM) Pharmacy Benefit Manager Division**

Compliance Division

The compliance division of the MS Board of Pharmacy monitors and enforces the MS Pharmacy Practice Act and board regulations of state and federal laws of the practice of pharmacy in Mississippi by conducting routine inspections and investigations of licensees, registrants, and permitted facilities. The compliance division is the primary division responsible for the investigation of drug diversion from permitted facilities within the State. The board has set a goal to inspect all in-state facilities at least every 18 months and to inspect a sample of out of state facilities as feasible. The board of pharmacy issues compounding certificates to all pharmacies that perform non-sterile and sterile compounding. The compliance division must approve the certificate from the review of inspections conducted on all in-state and non-resident pharmacies. Dispensing physicians will now obtain a permit, and once that permit is obtained, the compliance division will inspect those facilities. Compliance officers are assigned specific regions of the state to conduct inspections and to conduct investigations, as necessary.

The board is authorized to conduct disciplinary proceedings as directed by the Investigative Review Committee of the board. The board promotes voluntary compliance by communicating information to pharmacists and other registrants utilizing personal contact by agents of the board and through newsletters, website, email, social media, or other correspondence. The compliance division serves as an information source for consumers, licensees, registrants, state and federal law enforcement, and regulatory agencies. The board registers students engaging in pharmaceutical education within the state. The compliance division partners with each education institution in the state to provide requested training to pharmacy students on regulations and current practice issues.

Licensing Division

The function of the licensing division is the issuance of new and renewal of licenses, permits, and registrations. Licenses and controlled substance registrations

are issued to pharmacists and students. All persons working in a pharmacy as a pharmacy technician are issued registrations. All pharmacies (both in-state and non-resident), hospitals, drug facility permits (wholesalers both in and out of state), home/health hospices, nursing homes, physician dispensing, pharmacy benefit managers (PBM), medical equipment suppliers, and controlled substances are issued licenses, permits, and registrations. The number of licenses and registrations issued exceeds 20,000 annually. We continue to collaborate with the MS Bureau of Narcotics regarding licensure of encapsulators and pill presses.

The operational funds for the board are generated from fees received from the issuance and renewal of licenses, permits, and registrations with spending authority provided through the legislative appropriations process. The licensing division provides information regarding licensure, permitting, and verification. They work with students to ensure seamless testing and licensure requirements.

The Thoughtspan software development is an ongoing process. It went live in October 2020. This complex licensing software has moved the MS Board of Pharmacy to a much higher level of service and instant information access. We are increasing our capabilities in a constantly evolving statutory and regulatory environment. Additionally, the licensing division is actively seeking ways to improve the criminal background check process.

Mississippi Prescription Monitoring Program (MSPMP) Division

The MSPMP monitors the dispensing of schedule II-V controlled substances and medical marijuana. The information collected is available to practitioners, pharmacists, or their designated agents, the Division of Medicaid, law enforcement entities, and state regulatory agencies upon appropriate request.

The most important objective of the MSPMP is to reduce prescription drug abuse by providing patients controlled substance dispensing profiles to practitioners who administer, prescribe, or dispense controlled substance drugs. The second objective is to provide education for all users of the program, and to bring all stakeholders together in a collaborative force to prevent and deter prescription diversion and drug abuse. The third objective of the MSPMP is to educate all sectors of the public relating to the dangers, laws, and citizen responsibilities relating to controlled substance prescriptions, doctor shopping, and prescription drug abuse.

Our approach to educating the public is founded using an approach that covers all sectors of the state's population from youth to the elderly. We have teamed with the MS Bureau of Narcotics, the MS Department of Public Safety, the MS Department of Mental Health, the MS Department of Human Services, the MS Board of Medical Licensure, the MS Board of Nursing, the MS Department of Health, the MS Board of Dental Examiners, the FBI, and the DEA, along with others, to combat the opioid and heroin crisis.

The Mississippi Prescription Monitoring Program (MSPMP) Division will continue to expand its effort to offer a cohesive program that protects the privacy of the citizens of Mississippi but at the same time offers an efficient tool for the medical community, law enforcement, and regulatory agencies for the intervention of prescription drug abuse and the diversion of controlled substances in Mississippi. MSPMP will continue to work with organizations locally, nationally, and with other states to find and implement the most efficient solutions for our PMP.

Pharmacy Benefit Manager Program (PBM) Division

The function of the Pharmacy Benefit Manager Program (PBM) Division is to license and renew pharmacy benefit managers that conduct business in the state of Mississippi. The PBM Division is also charged with responding to complaints received from citizens and health care providers to facilitate better patient care and access to pharmacy.

There are constant changes in health care and specifically prescription drug services to our citizens. The domino effect of what can first be perceived to be a small change can many times grow to impact our citizens in Mississippi negatively. These issues can dramatically limit the access our citizens have to pharmaceutical care and services.

The Pharmacy Benefit Manager (PBM) division of the agency will continue to communicate regularly with local, state, and national entities to more clearly define issues, identify problems and develop solutions to changing PBM issues that affect the pharmacy services, health and economic stability of the Mississippi health community. The newly amended Prompt Pay Act will need rules and regulations promulgated to address low cost reimbursement, referrals, and the PBM appeals process for pharmacies to ensure adequate access to pharmaceuticals for the citizens of MS. The rules and regulations will be written with input and collaboration with other relevant state agencies.

5. Agency's External/Internal Assessment

1. Changes in state or federal laws, and the Drug Supply Chain Security Act (DSCSA) that would encompass pharmacy/pharmacist's role and involvement, will need to be continually assessed. This will also include education surrounding the changes with the standards set by USP 795, USP 797, USP 800 and FDA licensing. The board of pharmacy will be charged with updating and educating the pharmacists for their role and ensuring that their licenses and procedures are compliant. Staff will need to be trained on all of the changes.
2. The diversion of controlled prescription drugs continues to be a public issue in Mississippi and around the country. Continued collaboration with MS Bureau of Narcotics and the Drug Enforcement Agency will be needed.
3. Economic or catastrophic conditions that relate to the healthcare of the citizens of the state of Mississippi
4. Full implementation of the Health, Medical, and Pharmaceutical Disaster Support Center (HMPSC) is vital to the fulfillment of our obligation to the public in disaster support and response.
5. Continued manipulation of pharmacy services by PBMs can be detrimental to the citizen's access to pharmaceutical services.
6. Emerging new methods and requirements to conduct agency functions

Through meetings of program division directors, the Associate Director, the Executive Director, and board of pharmacy staff make decisions and recommendations. As deficiencies are recognized, recommendations for improvements are made. Budgetary constraints are always considered when new or expanded projects are recommended or requested. Financial and procedural advice is obtained through a third party contracted financial consultant along with in house counsel. This contracted financial consultant performs all accounting functions for the agency.

The MS Board of Pharmacy interfaces with various state and national associations, agencies and organizations, including the National Association of Boards of Pharmacy (NABP) and MALTAGON, an organization of southeastern boards of pharmacy. These interactions allow identification of developments in the field of practice and anticipation of how these affect the practice of pharmacy in the state of Mississippi.

On the state level, the MS Board of Pharmacy works closely with MEMA (Mississippi Emergency Management Agent) , the MS Department of Health and other state regulatory agencies to ensure continued health services and support during times of emergency and disaster. Examples of this include active participation in the ongoing COVID-19 response efforts and coordinating pharmacy volunteer efforts under the governor's comprehensive emergency management plan (CEMP). The MS Board of Pharmacy is committed to fulfilling all reporting needs to the ESF-8 Public Health Command/Coordination Center (PHCC) and the State Emergency Operations Center (SEOC) as well as appropriate communication to ESF-5 for priority setting and ESF-15 for press releases. In addition, since the MS Board of Pharmacy facility has backup generator capabilities, it has informally established an area of its offices to be quickly transitioned into a support command center to work in tandem with other health regulatory agencies and the SEOC.

6. Agency Goals, Objectives, Strategies, and Measures by Program for FY 2022

GOAL A: License for the practice of pharmacy shall be obtained by all persons prior to their engaging in the practice of pharmacy. (Miss. Code Ann. § 73-21-83, (2))

Program 1: Licensing Division

OBJECTIVE A.1. License, Permit, Register and Renew

- Output:* Process and verify pharmacy technician, student intern/extern-controlled substances registration, pharmacists, licenses, and facility permits, physician dispensing, and marijuana dispensing to those individuals and entities that met minimum requirements;
- Output:* Deny licenses to applicants not meeting Board requirements or Mississippi standards
- Output:* Ensure the proper qualifications for licensing are met
- Outputs:* Report the number of new student licenses issued
- Outputs:* Report the number of permits issued to all facilities
- Outputs:* Report the number of pharmacy technician registrations issued
- Outputs:* Report the number of pharmacists licensed
- Outputs:* Report the number of controlled substance permits issued
- Efficiencies:* Cost of operations (program cost divided by the number of licenses)

Outcomes: New Licenses issued within ten business days (%)

Outcomes: Renewals issued within two business days (%)

Program 2: Compliance Division

GOAL A: The board shall be responsible for the control and regulation of the practice of pharmacy, to include the regulation of technicians, pharmacy externs or interns and pharmacists, in this state, the regulation of the wholesaler distribution of drugs and devices as defined in Section 73-21-73, the distribution of sample drugs or devices by manufacturer's distributors as defined in Section 73-21-73 by persons other than the original manufacturer or distributor in this state and the regulation of pharmacy benefit managers as defined in Section 73-21-153. (Miss. Code Ann. Section 73-21-83., (1))

A.1. STRATEGY: Conduct routine inspections of all facilities located within the state for compliance with regulations of the board, state and federal laws. Conduct investigations as necessary for suspected violations.

Output: Number of inspections conducted

Output: Number of audits and investigations conducted

Output: Number of written complaints received

Output: Investigations conducted due to the diversion of prescription drugs, impaired individuals

Output: Investigations conducted of pharmacists and pharmacy technicians

Efficiency: Average cost per investigation conducted (total cost of program divided by the number of activities conducted)

Outcomes: Written complaints resolved within six months (%)

Outcomes: In-state facilities inspected (%)

Outcomes: Recidivism rate for those receiving disciplinary actions (% average of 3 years)

Program 3: Mississippi Prescription Monitoring Program (MS PMP) Division

GOAL A: Effectively support the legitimate use of controlled substances while being proactive in safeguarding public health and safety. (Mississippi Code § 73-21-127) - board of pharmacy to develop and implement a computerized program to track certain prescriptions; report of suspected abuse and misuse of controlled substances; access to collected data; confidentiality; penalties for knowingly failing to submit or submitting incorrect dispensing information

A.1. STRATEGY: Education and Information

Outputs: Number of training and educational activities conducted

Outputs: Number of patient inquiries

Outputs: Prescribers, dispensers, and entities registered (number of)

Outputs: Training and education activities conducted (number of)

Efficiencies: Cost of operation (program cost divided by the number of prescribers and dispensers registered)

Outcomes: System registrations (%)

Outcomes: Pharmacists registered to PMP (%)

Outcomes: Licensed APRNs registered to PMP (%)

Outcomes: In-state physicians registered to PMP (%)

Program 4: Pharmacy Benefit Manager Program (PBM) Division

GOAL A: License and Regulate Pharmacy Benefit Managers (PBMs) that conduct business in the state, renew licenses annually, respond to complaints from citizens and health care providers in order to provide protection for individual Mississippi citizens and allow better patient care and access to pharmacy. (Miss. Code Ann. § 73-21-157)

OBJECTIVE A.1. Ensure all PBMs, with activities in Mississippi, are duly licensed and all statutes and regulations are being followed

Outcome: Protect the health and safety of the citizens of Mississippi through the emphasis on patient access, care, safety and services through pharmacy

A.1 STRATEGY: Work with pharmacies and other state entities to analyze operational data specific to pharmacy transactions and their related PBMs

Output: Report the number of PBM licenses issues

Output: Number of responses to complaints

Efficiencies: Cost of Operations (total cost divided by total licenses and complaint responses)

Outcomes: Complaint response (%)